

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

WARREN BRUMEL, ESQ. Bar ID# 018191980  
Attorney for Debtors  
65 Main Street PO Box 181  
Keyport, NJ 07735  
732-264-3400  
wbrumel@keyportlaw.com

In Re:

**DAVID A. TOZZOLINO**  
**PATRICIA M. TOZZOLINO**

Certificate of Notice  
Page 1 of 4



Order Filed on July 3, 2024  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 22-18215-CMG

Chapter 13

Judge: Christine M. Gravelle, USBJ

**ORDER AUTHORIZING  
SALE OF REAL PROPERTY**

Recommended Local Form: ☐ Followed ☒ Modified

The relief set forth on the following pages, numbered two (2) through two (2) is hereby **ORDERED**.

**DATED: July 3, 2024**

A handwritten signature in cursive script, reading "Christine M. Gravelle".  
\_\_\_\_\_  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

After review of the Debtors' motion for authorization to sell the real property commonly known as 631 Park Avenue, Union Beach Borough, Monmouth County, New Jersey (the Real Property),

**IT IS** hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the Contract of Sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction, the real property is not free and clear of liens. **All mortgages will be paid in full at closing as per the payoff statement to be issued by the mortgagee.**
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker at closing. Therefore the following professionals may be paid at closing.

Name of professional: Mary Gail Gallagher / Weichert Realtors Amount to be paid: not to exceed 5.0% total commission including participating realtor Services rendered: Realtor
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4. Other closing fees payable by the Debtors may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.
5. The amount of \$55,800.00 claimed as exempt may be paid to the Debtors at closing, together with any surplus funds after payment to the Chapter 13 Trustee as provided in Paragraph 6 below.
6. The sum of **\$50,500.00 must be paid to the Chapter 13 Trustee** in the Debtors' case.
7. A copy of the HUD settlement statement or Closing Disclosure Statement, whichever is provided by the settlement agent, must be forwarded to the Chapter 13 Trustee within 7 days after closing.

In re:  
David A. Tozzolino  
Patricia M. Tozzolino  
Debtors

Case No. 22-18215-CMG  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Jul 03, 2024

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 05, 2024:

Recip ID	Recipient Name and Address
db/jdb	+ David A. Tozzolino, Patricia M. Tozzolino, 631 Park Avenue, Union Beach, NJ 07735-3124

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 05, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 3, 2024 at the address(es) listed below:

Name	Email Address
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov
Warren Brumel	on behalf of Debtor David A. Tozzolino wbrumel@keyportlaw.com brumellawecf@gmail.com;wbrumel@keyportlaw.com
Warren Brumel	on behalf of Joint Debtor Patricia M. Tozzolino wbrumel@keyportlaw.com

District/off: 0312-3

User: admin

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Date Rcvd: Jul 03, 2024

Form ID: pdf903

Total Noticed: 1

brumellawecf@gmail.com;wbrumel@keyportlaw.com

TOTAL: 6